

AGENDA

Board of Directors Meeting

February 3, 2010

Start Time: 9:30 a.m.

LOCATION

**San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA**

Board of Directors

President

Paul Eaton, Mayor
City of Montclair

Vice-President

Brad Mitzelfelt, Supervisor
County of San Bernardino

Charley Glasper, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Julie McIntyre, Mayor Pro Tem
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Ed Graham, Vice Mayor
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

Mark Nuaimi, Mayor
City of Fontana

Bea Cortes, Council Member
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Council Member
City of Highland

Rhodes "Dusty" Rigsby, Mayor Pro Tem
City of Loma Linda

Jeff Williams, Mayor
City of Needles

Alan Wapner, Council Member
City of Ontario

Diane Williams, Council Member
City of Rancho Cucamonga

Patricia Gilbreath, Mayor Pro Tem
City of Redlands

Ed Scott, Council Member
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Jim Harris, Mayor Pro Tem
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Ryan McEachron, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

William Neeb, Council Member
Town of Yucca Valley

Gary Ovitt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Neil Derry, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Ray Wolfe, Caltrans
Ex-Officio Member

Deborah Robinson Barmack
Executive Director

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

The San Bernardino County Transportation Commission, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.

The San Bernardino County Transportation Authority, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.

The Service Authority for Freeway Emergencies, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.

The Congestion Management Agency, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.

As a Subregional Planning Agency, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

February 3, 2010

9:30 a.m.

Location:

**San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order - 9:30 a.m. by Mayor Paul Eaton

- I Pledge of Allegiance
- II. Attendance
- III. Announcements:
 - Calendar of Events (Pg. 11)
- IV. Agenda Notices/Modifications – Vicki Watson

Notes/Actions:

**1. Possible Conflict of Interest Issues for the Board Meeting of Pg. 12
February 3, 2010**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 25.

Consent Calendar Continued....**Administrative Matters**

2. **Board of Directors Attendance Roster** Pg. 14
3. **November and December 2009 Procurement Report** Pg. 18
Receive Monthly Procurement Report. **William Stawarski**
This item was reviewed and received by the Administrative Committee on January 13, 2010.
4. **Measure I Revenue Receipts-Program to Date** Pg. 20
Receive and File Report. **William Stawarski**
This item was reviewed and received by the Administrative Committee on January 13, 2010.
5. **San Bernardino Associated Governments (SANBAG) Financial Audit** Pg. 23
Receive the Annual Financial Audit for FY 2008/2009. **William Stawarski**
This item was reviewed and received by the Administrative Committee on January 13, 2010.
6. **SANBAG 2010/2011 Budget Schedule** Pg. 25
Approve 2010/2011 Budget Schedule. **William Stawarski**
This item was reviewed by the Administrative Committee on January 13, 2010 and unanimously recommended for approval.
7. **FY 2010 Mid-Year Budget Review and Budget Amendment Authorization** Pg. 27
1. Authorize the Executive Director to move funding sources in the approved 2009/2010 SANBAG budget from one Program area to another as may be required based on actual expenditures to adjust for changing revenue sources through June 30, 2010; and
 2. Authorize the Executive Director authority to amend the Fiscal Year 2009/2010 SANBAG budget for a variety of tasks as required to cover fringe, indirect, and County Transportation Commission (CTC) expenses up to a total amount of \$1,220,612 using Measure I Administrative, Traffic Management and Environmental Enhancement, and Major Projects Funds from the undesignated fund balances based upon actual staff hours expended through June 30, 2010.
 3. Direct staff to report to the Administrative Committee any budgetary adjustments. **William Stawarski**
This item was reviewed by the Administrative Committee on January 13, 2010 and unanimously recommended for approval.

Consent Calendar Continued....

Administrative Matters (Cont.)

8. **Request for Proposal (RFP) for Property Management/Facilities Management Services** Pg. 30

Authorize staff to release Request for Proposal (RFP) 10164 for Property Management/Facilities Management Services of the San Bernardino Depot. **Duane Baker**

This item was reviewed and unanimously recommended for approval by the Administrative Committee on January 13, 2010. SANBAG Counsel has reviewed and approved the draft RFP as to form.

Program Support/Council of Govts.

9. **Overview of SB 83 (Hancock), Chapter 554** Pg. 39

Receive information on provisions of SB 83. **Aaron Hake**

This item was reviewed by the Administrative Committee on January 13, 2010. After discussion, the Committee recommended that SANBAG take no action to implement SB 83 at this time.

10. **State Legislative Update** Pg. 44

Receive and file a report regarding recent legislative activity in Sacramento pertaining to transportation. **Aaron Hake**

This item was reviewed and received by the Administrative Committee on January 13, 2010.

11. **SANBAG's 2009 Council of Government Activities** Pg. 55

Receive report on SANBAG's Council of Government Activities for 2009. **Duane Baker**

This item was unanimously received by the Administrative Committee on January 13, 2010.

12. **Amendment to Contract C09054 with the County of San Bernardino for Project Management Services for the Implementation of a New Financial Management Software System** Pg. 57

Approve Amendment Number 1 to Contract C09054 with the County of San Bernardino for Financial Management Software System Project Management and Implementation Assistance by increasing the contract authority by \$50,000 as outlined in the Financial Impact Section. **Duane Baker**

Consent Calendar Continued....

Project Development

13. **Approve Cooperative Agreement No. C04050-2 with Caltrans for the Project Approval and Environmental Document (PA/ED) phase and Plans, Specifications, and Estimates (PS&E) phase of the Interstate 10 (I-10)/Tippecanoe Avenue Interchange project** Pg. 61

Approve Amendment No. 2 to Cooperative Agreement C04050 with Caltrans for the PA/ED and PS&E phases of the I-10/Tippecanoe Avenue Interchange project and terminate Cooperative Agreement C10047. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on December 10, 2009. SANBAG Counsel has reviewed and approved the agreement as to form.

Transit/Commuter Rail

14. **Caltrans Statewide or Urban Transit Planning Grant** Pg. 76

Authorize staff to proceed with a grant application for Statewide or Urban Transit Planning grant funds in an amount not to exceed \$200,000 for the preparation of a study that seeks to identify a range of physical infrastructure improvements to increase modal alternatives, decrease congestion and improve safety around Metrolink and planned E Street sbX stations for pedestrians and cyclists. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on January 21, 2010.

15. **Interim Long Range Transit Plan Workshop Announcement** Pg. 79

Set the SANBAG Board Workshop for the Interim Long Range Transit Plan (LRTP) for immediately following the April 7, 2010 regularly scheduled SANBAG Board meeting. **Mitch Alderman**

This item was reviewed by the Commuter Rail and Transit Committee on January 21, 2010 and unanimously recommended for approval.

Consent Calendar Continued....**Transit/Commuter Rail (Cont.)**

16. **Southern California Regional Rail Authority (SCRRA) Potential Riders Survey Results** Pg. 80

Receive presentation on the most recent potential rider survey that includes key findings on safety, quality of service, and overall experience and impressions for existing and potential riders. **Mitch Alderman**

This item was reviewed and received by the Commuter Rail and Transit Committee on January 21, 2010.

17. **Southern California Regional Rail Authority (SCRRA) Fiscal Year 2009/2010 Budget Shortfall** Pg. 97

Receive update on the current estimated fiscal year budget shortfall of \$7.7 million with potential solutions. **Mitch Alderman**

This item was reviewed and received by the Commuter Rail and Transit Committee on January 21, 2010.

18. **Expenditure Plan for the remaining Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)** Pg. 99

Approve the distribution of \$70,286,423 in remaining Proposition 1B PTMISEA funds as identified in the attached Expenditure Plans (Attachments A through G). **Mitch Alderman**

This item was reviewed by the Commuter Rail and Transit Committee on January 21, 2010 and unanimously recommended for approval.

19. **Redlands First Mile and Redlands Passenger Rail Project** Pg. 109

1. Award Professional Services Contract C10079 in the not-to-exceed amount of \$7,390,150 to HDR Engineering, Inc. for the design, environmental, FTA processing, right-of-way acquisition, and land use services.

2. Approve amendment to Task 37910000, Commuter Rail Capital Expenses, increasing the budget authority by \$6,990,150 from FY 09/10 undesignated fund balance.

3. Approve amendment to Task 38010000, Redlands Rail Extension, increasing the budget authority by \$400,000 from FY 09/10 undesignated fund balance. **Mitch Alderman**

This item was reviewed by the Commuter Rail and Transit Committee on January 21, 2010 and unanimously recommended for approval. The agreement has been reviewed and approved as to form by SANBAG Counsel.

Consent Calendar Continued....

Transit/Commuter Rail (Cont.)

20. Omnitrans Governance

Pg. 182

1. Support efforts to further evaluate and form a transit district for the San Bernardino Valley.

2. Direct staff to work with the Omnitrans management and the Omnitrans Ad hoc Governance Committee in the development of legislation to form the district. **Mitch Alderman**

This item was reviewed by the Commuter Rail and Transit Committee on January 21, 2010 and unanimously recommended for approval

Transportation Programs & Fund Administration

21. Local Transportation Fund (LTF) Revised Apportionment for Fiscal Year 2009/2010 and Recommended Apportionment for Fiscal Year 2010/2011

Pg. 185

1. Approve a decrease of \$11,560,773 to the Fiscal Year 2009/2010 LTF Receipts for a new total of \$53,430,727.

2. Approve the use of \$1,975,046 of the \$3,975,046 audited unrestricted fund balance to minimize the impact of the loss of revenue in FY 2009/2010, retaining the remaining \$2,000,000 unrestricted balance as a Fund Reserve for any shortfall during the current or subsequent fiscal years.

3. Approve an LTF Estimated Apportionment of \$54,232,188 for Fiscal Year 2010/2011. **Victoria Baker**

This item was reviewed by the Administrative Committee on January 13, 2010 and unanimously recommended for approval.

DISCUSSION ITEMS

Administrative

22. Announcement of Vacancies and Appointments on Regional Committees Pg. 190

1. Note four vacancies on Southern California Association of Governments (SCAG) committees. There are two vacancies on the Community, Economic and Human Development Committee; one vacancy on the Energy and Environment Committee; and one vacancy on the Transportation and Communications Committee.
2. Note vacancy on the Multiple Source Air Pollution Reduction Review Committee (MSRC).
3. Note vacancy for the alternate member from SANBAG on the Alameda Corridor-East Construction Authority. This is an ex-officio position.
4. Note vacancy on the SR 91 Advisory Committee. This is an ex-officio position.
5. Recommend the Board of Directors reappoint Mayor Paul Eaton, City of Montclair, to the Metro Gold Line Phase II Joint Powers Authority and to the Sam and Alfreda L. Maloof Foundation for Arts and Crafts with both terms expiring December 31, 2011.

Duane Baker

This item has not received prior policy committee review.

Regional & Quality of Life Programs

23. Execution of Agreements for the J.B. Hunt Alternative Fuel Project Pg. 193

1. Authorize the SANBAG Plans and Programs Policy Committee (PPC) to approve Agreements with the California Energy Commission (CEC), J.B. Hunt Transport Services, Inc., Gladstein, Neandross & Associates (GNA), and the Southern California Association of Governments (SCAG) acting as Southern California Clean Cities Administrator;
2. Direct Staff to report to the SANBAG Board any actions taken by the SANBAG Committee. **Michelle Kirkhoff**

This item had no prior Policy Committee Review. This item was reviewed by SANBAG Legal Counsel.

Discussion Items Continued.....

Project Development

24. Informational Presentation on Interstate 10 Riverside Interchange Project Pg. 195

Receive informational presentation on the current progress of the Interstate 10 Riverside Avenue Interchange Project located in the City of Rialto. **Garry Cohoe**

This is an informational presentation to the February 3, 2010 Board meeting.

Other Matters

25. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

Comments from Board Members

Brief Comments from Board of Directors

Public Comment

Brief Comments by the General Public

ADJOURNMENT

Additional Information

Agency Reports/Committee Memberships

Commuter Rail Report Pg. 196

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 199

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC)

Council Member Gwenn Norton-Perry *(no report this month)*

SCAG Committees Pg. 201

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees Pg. 202

Acronym List Pg. 206

Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.



Important Things to Know for...

February 2010

SANBAG Meetings – Cancelled:

None

SANBAG Meetings – Scheduled:

Administrative Committee	Feb. 10	9 a.m.	The Super Chief
Major Projects Committee	Feb. 11	9 a.m.	The Super Chief
Plans and Programs Committee	Feb. 17	12 noon	The Super Chief
Mountain/Desert Committee	Feb. 19	9 a.m.	Town of Apple Valley

Other Meetings/Events:

I-10/Riverside Interchange Open House	Feb. 2	4:30 p.m.- 7:30 p.m.	Rialto Senior Center
I-215 Widening Project Public Meeting for Businesses	Feb. 9	7:30 a.m.	Shandin Hills, San Bernardino
SB 375 Workshop	Feb. 17	Immediately following SANBAG Plans and Programs Committee	SANBAG
I-10/Riverside Interchange Groundbreaking Ceremony	Feb. 18	10 a.m.	Hometown Buffet- 127 W. Valley Blvd, Rialto
SB 375 Workshop	Feb. 19	Immediately following SANBAG Mt./Desert Committee Mtg.	Town of Apple Valley Recreation Center

For additional information, please call SANBAG at (909) 884-8276